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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,561	02/25/2002	Olivier Bernard Clarisse	3-1-32-2	3186

7590 03/21/2005

Werner Ulrich
434 Maple Street
Glen Ellyn, IL 60137-3826

EXAMINER

SUAZO, RAINIER A

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/082,561	CLARISSE ET AL.	
	Examiner	Art Unit	
	Rainier Suazo	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05/02/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-8 are pending in this application.

Objections

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102(e)

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Karjanlahti (U.S. 2003/0187926 A1), hereinafter 'Karjanlahti'.

Regarding claims 1 and 5,

Karjanlahti taught an apparatus for establishing a pre-configured multi-port telecommunications connection, comprising: an Internet network ([0020 (...IP network...)); and a plurality of end user stations connected to said Internet network ([0020] and fig. 2); at least one of said stations having soft button capabilities for

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generating a message identifying a soft button, in response to an operation of said soft button ([0047]); means for receiving said message, and for generating signaling messages for activating pre-specified connections corresponding to connections requested by said at least one station, in response to the operation of one of said soft buttons ([0025], last 5 lines of paragraph [0034] and [0037]).

Regarding claims 2 and 6,

Karjanlahti taught an apparatus further comprising wherein the means for activating said connections comprises a proxy server for sending signaling messages to the Internet to activate said requested connections ([0003, 0025 to 0027] (...logical channels between the GGSN and the multicast router...)). Note that proxy-like functionalities are inherent in the multicast router disclosed by Karjanlahti. The multicast router effectively performs signaling functions on behalf of a client (GGSN).

Regarding claims 3 and 7,

Karjanlahti taught an apparatus wherein said proxy server comprises a Servlet program for controlling the sending of signaling messages to the Internet to activate said requested connections ([0003, 0025 to 0027, 0036 and 0047] (...logical channels between the GGSN and the multicast router...)). Note that proxy-like functionalities are inherent in the multicast router disclosed by Karjanlahti. The multicast router effectively performs signaling functions on behalf of a client (GGSN) [0020].

Furthermore, Karjanlahti expressively disclosed controlling functions regarding the

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functionality of the multicast router [0025-26]. Since a Servlet is a modular implementation of computer executable instructions, Karjanlahti's disclosure inherently disclosed the functional limitations of the invention.

Regarding claims 4 and 8,

Karjanlahti disclosed an apparatus wherein said at least one end user station comprises an applet program for generating said signaling messages (**first three lines in [0027], [0035 and 0047]**). Karjanlahti recites, "...pushes the button, which triggers the signaling to reserve the physical resources in the network (if not already reserved)...". Note that a computer executable instruction such as those found in an applet is inherent in Karjanlahti's disclosure.


Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached PTO-892 for details.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rainier Suazo whose telephone number is (571) 272-3931. The examiner can normally be reached on Monday through Friday, 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rainier Suazo, MBA
Patent Examiner
Art Unit 2144


WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2000